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An Act To Clarify the Status of a Case following the Establishment of Permanent Guardianship

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 22 MRSA §4038-B, sub-§2, as enacted by PL 2005, c. 372, §6, is amended to read:

2. Subsequent permanency planning hearings. Unless subsequent judicial reviews are not required pursuant to subsection 6 or section 4038, subsection 1-A, the District Court shall conduct a permanency planning hearing within 12 months of the date of any prior permanency planning order.

Sec. 2. 22 MRSA §4038-B, sub-§6 is enacted to read:

6. Permanency guardian. If a child is placed with a permanency guardian pursuant to subsection 4, paragraph A, subparagraph (3), subsequent judicial review is not required unless a party petitions the court under this chapter to change the permanency plan.

SUMMARY

This bill clarifies that under the child protection laws a court does not need to review a permanency plan once a child has been placed with a permanency guardian unless a party petitions the court to change the plan.